

FILED 07 AUG 22 14:12 USDC ORM

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

CHARLES BEDSOLE, ) Civil No. 07-118-CL  
                    )  
Petitioner,       ) ORDER  
                    )  
v.                  )  
                    )  
LANE COUNTY SHERIFF RUSSEL E. )  
BURGER,             )  
                    )  
Respondent.       )

PANNER, Judge.

Petitioner Charles Bedsole brings this action under 28 U.S.C. § 2254. If I understand petitioner's pro se pleadings, he seeks relief regarding a 90 day sentence imposed by a Lane County court in 1999. Bedsole does not explain why his conviction or sentence violate the United States Constitution. Nor has Bedsole shown he is still "in custody" for purposes of obtaining post-conviction relief. From the limited information Bedsole has furnished, it also appears the one year statute of limitations applicable to his § 2254 claim has long since expired. Bedsole was advised of the deficiencies and given an opportunity to correct them, if he could. He attempted to do so, but the additional facts provided merely demonstrate that his petition suffers from fatal flaws that Bedsole is unable to cure.

On April 18, 2007, Magistrate Judge Clarke filed his Findings and Recommendation, which recommended denying the petition for habeas corpus. On May 11, 2007, the court received a request by Bedsole for additional time to file objections to the Findings and Recommendation, and a request for appointment of counsel. On July 11, 2007, Magistrate Judge Clarke denied those requests.

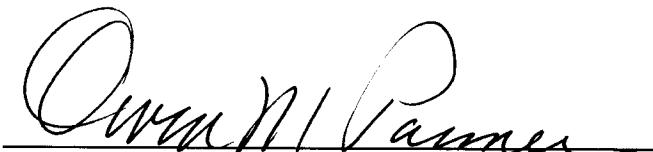
The matter is now before me for *de novo* review pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). I find no error. Even if the court had granted Bedsole's request for more time to file objections, it would not alter the final result. The facts already in the record leave no doubt as to the outcome.

Conclusion

Magistrate Judge Clarke's Findings and Recommendation (docket # 9) are adopted. The petition (# 1 and # 8) is denied. Any pending motions are denied as moot.

IT IS SO ORDERED.

DATED this 27 day of August, 2007.

  
\_\_\_\_\_  
Owen M. Panner  
United States District Judge

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FOR THE DISTRICT OF OREGON

CHARLES BEDSOLE,	)	Civil No. 07-118-CL
	)	
Petitioner,	)	<b>JUDGMENT</b>
	)	
v.	)	
	)	
LANE COUNTY SHERIFF RUSSEL E.	)	
BURGER,	)	
	)	
Respondent.	)	

**PANNER, Judge.**

Judgment is entered for defendant.

DATED this 27 day of August, 2007.



Owen M. Panner  
United States District Judge